

CHAPTER.

NORTHERN VIRGINIA TRANSPORTATION DISTRICT FUND AND PROGRAM.

**Drafting note: One existing section from Title 33.1 and one section from Title 58.1 are relocated here as Chapter \_\_ of proposed Title 33.2 because both are related to a local and regional transportation issue, specifically the Northern Virginia Transportation District Fund and Program.**

§ ~~58.1-815.1~~ 33.2-xxx. Northern Virginia Transportation District Fund.

A. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation Trust Fund and which shall be known as the Northern Virginia Transportation District Fund, consisting of transfers pursuant to § 58.1-816 of annual collections of the state recordation taxes attributable to the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park and the Counties of Arlington, Fairfax, Loudoun, and Prince William; however, this dedication shall not affect the local recordation taxes under §§ 58.1-802 B and 58.1-814. The Fund shall also include any public rights-of-way use fees appropriated by the General Assembly; any state or local revenues, including but not limited to, any funds distributed pursuant to § ~~33.1-23.3, 33.1-23.4 or 33.1-23.5~~ § 33.2-xxx, 33.2-xxx, or 33.2-xxx, which may be deposited into the Fund pursuant to a contract between a jurisdiction participating in the Northern Virginia Transportation District Program and the Commonwealth Transportation Board; and any other funds as may be appropriated by the General Assembly from time to time and designated for this Fund and all interest, dividends and appreciation which may accrue thereto. Any moneys remaining in the Fund at the end of a biennium shall not revert to the general fund, but shall remain in the Fund, subject to the determination by the Commonwealth Transportation Board that a Category 2, 3 or 4 project or projects may be funded.

B. Allocations from this Fund may be paid (i) to any authority, locality or commission for the purposes of paying the costs of the Northern Virginia Transportation District Program which consists of the following: the Fairfax County Parkway, Route 234 Bypass, Metrorail

Capital Improvements attributable to Fairfax County including Metro parking expansions, Metro Capital Improvements, including the Franconia-Springfield Metrorail Station and new rail car purchases, Route 7 improvements in Loudoun County and Fairfax County, the Route 50/Courthouse Road interchange improvements in Arlington County, the Route 28/Route 625 interchange improvements in Loudoun County, Metrorail capital improvements attributable to the City of Alexandria including the King Street Metrorail Station access, Metrorail capital improvements attributable to Arlington County, including Ballston Station improvements, Route 15 safety improvements in Loudoun County, Route 28 parallel roads in Loudoun County, the Route 28/Sterling Boulevard interchange in Loudoun County, Route 1/Route 123 interchange improvements in Prince William County, Lee Highway improvements in the City of Fairfax, Route 123 improvements in Fairfax County, Telegraph Road improvements in Fairfax County, Route 123 Occoquan River Bridge, Gallows Road in Fairfax County, Route 1/Route 234 interchange improvements in Prince William County, Potomac-Rappahannock Transportation Commission bus replacement program, and Dulles Corridor Enhanced Transit program and (ii) for Category 4 projects as provided in § 2 of the act or acts authorizing the issuance of Bonds for the Northern Virginia Transportation District Program.

C. On or before July 15, 1994, \$19 million shall be transferred to the Fund. Such transfer shall be made by the issuance of a treasury loan at no interest in the amount of \$19 million in the event such an amount is not included for the Fund in the general appropriation act enacted by the 1994 Session of the General Assembly. Such treasury loan shall be repaid from the Commonwealth's portion of the state recordation tax imposed by Chapter 8 (§ 58.1-800 et seq.) of Title 58.1 designated for the Fund by this section and § 58.1-816.

§ ~~33.1-221.1-3~~ 33.2-XXX. Northern Virginia Transportation District Program.

A. The General Assembly declares it to be in the public interest that the economic development needs and economic growth potential of Northern Virginia be addressed by a special transportation program to provide for the costs of providing an adequate, modern, safe, and efficient transportation network in Northern Virginia ~~which~~ that shall be known as the

Northern Virginia Transportation District Program (the Program), including, ~~without limitation,~~ environmental and engineering studies, rights-of-way acquisition, construction, improvements to all modes of transportation, and financing costs. The Program consists of the following projects: the Fairfax County Parkway; the Route 234 Bypass; ~~Metro~~ ~~Capital Improvements~~ capital improvements attributable to Fairfax County, including Metro parking expansions; ~~Metro Capital Improvements;~~ Metro rail capital improvements, including the Franconia-Springfield Metrorail Station and new rail car purchases; the Route 7 improvements in Loudoun County and Fairfax County; the Route 50/Courthouse Road interchange improvements in Arlington County; the Route 28/Route 625 interchange improvements in Loudoun County; the Metrorail capital improvements attributable to the City of Alexandria, including the King Street Metrorail Station access; the Metrorail capital improvements attributable to Arlington County, including Ballston Station improvements; the Route 15 safety improvements in Loudoun County; the Route 28 parallel roads in Loudoun County; the Route 28/Sterling Boulevard interchange in Loudoun County; the Route 1/Route 123 interchange improvements in Prince William County; the Lee Highway improvements in the City of Fairfax; the Route 123 improvements in Fairfax County; the Telegraph Road improvements in Fairfax County; the Route 123 Occoquan River Bridge; the Gallows Road in Fairfax County; the Route 1/Route 234 interchange improvements in Prince William County; the Potomac-Rappahannock Transportation Commission bus replacement program; and the Dulles Corridor Enhanced Transit program.

B. Allocations to ~~this~~ the Program from the Northern Virginia Transportation District Fund established by § ~~58.1-815.1~~ 33.2-xxx shall be made annually by the Commonwealth Transportation Board for the creation and enhancement of a safe, and efficient transportation system connecting the communities, businesses, places of employment, and residences of the Commonwealth, thereby enhancing the economic development potential, employment opportunities, mobility, and quality of life in ~~Virginia~~ the Commonwealth.

C. Except in the event that the Northern Virginia Transportation District Fund is insufficient to pay for the costs of the Program, allocations to the Program shall not diminish or replace allocations made from other sources or diminish allocations to which any district, system, or locality would be entitled under other provisions of this title, but shall be supplemental to other allocations to the end that transportation improvements in the Northern Virginia Transportation District may be accelerated and augmented. Allocations under this subsection shall be limited to projects specified in subdivision ~~(2) (s)~~ 2 XXX of § ~~33.1-268~~ 33.2-XXX.

D. The Commonwealth Transportation Board may expend such funds from all sources as may be lawfully available to initiate the Program and to support bonds and other obligations referenced in subsection E.

E. The Commonwealth Transportation Board is authorized to receive, dedicate, or use first from (i) revenues received from the Northern Virginia Transportation District Fund; (ii) to the extent required, funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project or projects to be financed are located or to the city or county in which the project or projects to be financed are located; (iii) to the extent required, legally available revenues of the Transportation Trust Fund; and (iv) such other funds ~~which that~~ may be appropriated by the General Assembly for the payment of bonds or other obligations, including interest thereon, issued in furtherance of the Program. No such bond or other obligations shall pledge the full faith and credit of the Commonwealth.

**Drafting note: Technical changes.**

~~§ 33.1-221.1:4.~~

**Drafting note: Repealed by Acts 2011, c. 430, cl. 1.**

~~§ 33.1-221.1:5.~~

**Drafting note: Repealed by Acts 1995, c. 354.**

~~§ 33.1-221.1:6.~~

108           **Drafting note: Repealed by Acts 2011, c. 430, cl. 1.**

109           ~~§ 33.1-221.1:7. Regional Transportation District Program.~~

110           **Drafting note: Section 33.1-221.1:7, enacted by Chapter 853 of the Acts of**  
111 **Assembly of 2002, was deleted at the direction of the Virginia Code Commission because**  
112 **the referenda held pursuant to Chapter 853 of the Acts of Assembly of 2002 failed to pass.**

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